

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

KAREN MCNEIL, et al.,
On behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

COMMUNITY PROBATION SERVICES, LLC,
et al.,

Defendants.

Case No. 1:18-cv-00033

Judge Campbell / Frensey

JOINT MOTION TO SET ORAL ARGUMENT

In accordance with Local Rule 78.01 of this Court and in accordance with Section III, C, 4 of Judge Campbell's Practice and Procedure Manual, the Parties¹ jointly move this Court to set oral argument on the following dispositive motions filed by various Defendants:

- PSI Defendants' Renewed Motion for Summary Judgment (Doc. No. 363);
- Defendants Community Probations Services, LLC and Patricia McNair's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. No. 369); and
- Defendants Community Probations Services, LLC and Patricia McNair's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(1) (Doc. No. 374).

The Parties submit that oral argument may assist the Court in considering the issues presented by these Motions. However, the PSI Defendants respectfully request that the Court hold a separate hearing on their motion for summary judgment originally filed on August 14, 2019 after the depositions of plaintiffs Lucinda Brandon and Tanya Mitchell for the following reasons: (1)

¹ The Parties subject to these Motions make this joint request. This includes the Plaintiffs, the PSI Defendants, Community Probations Services, LLC, and Patricia McNair.

the PSI Defendants do not believe that the Court can reasonably hold a single hearing for all three motions because of the volume of pleadings and number of issues involved; and (2) the PSI motion for summary judgment is based entirely on the actual facts of Lucinda Brandon and Tanya Mitchell's cases, which have no relevance to any of CPS's motions.

The Plaintiffs submit that oral argument on these Motions should be conducted together in one hearing because the issues presented by these Motions overlap. CPS takes no position on whether the Court should hold separate hearings.

Dated: August 25, 2020

Respectfully Submitted,

/s/ David W. Garrison .

Elizabeth Rossi (*pro hac vice*)
Laura Gaztambide Arandes (*pro hac vice*)
Eric Halperin (*pro hac vice*)
Alexandria Twinem (*pro hac vice*)
CIVIL RIGHTS CORPS
1601 Connecticut Ave. NW, Suite 800
Washington, DC 20009
Telephone: (202) 844-4975
Facsimile: (202) 609-8030
elizabeth@civilrightscorps.org
laura@civilrightscorps.org
eric@civilrightscorps.org
alexandria@civilrightscorps.org

Matthew J. Piers (*pro hac vice*)
Chirag G. Badlani (*pro hac vice*)
Kate E. Schwartz (*pro hac vice*)
HUGHES, SOCOL, PIERS, RESNICK &
DYM, LTD.
70 W. Madison St., Suite 4000
Chicago, IL 60602
Telephone: (312) 580-0100
Facsimile: (312) 580-1994
mpiers@hsplegal.com
cbadlani@hsplegal.com
kschwartz@hsplegal.com

David W. Garrison, BPR 24968
Scott P. Tift, BPR 27592
BARRETT JOHNSTON MARTIN &
GARRISON, LLC
Philips Plaza
414 Union St., Suite 900
Nashville, TN 37219
Telephone: (615) 244-2202
Facsimile: (615) 252-3798

Kyle Mothershead, BPR 22953
The Law Office of Kyle Mothershead
414 Union St., Suite 900
Nashville, TN 37219
Telephone: (615) 982-8002
Facsimile: (615) 229-6387
kyle@mothersheadlaw.com

dgarrison@barrettjohnston.com
stift@barrettjohnston.com

Attorneys for Plaintiffs

/s/ Brandt M. McMillan w/ permission
Brandt M. McMillan (BPR No. 025565)
Timothy N. O'Connor (BPR No.035276)
Tune, Entrekin, & White, P.C.
315 Deaderick St., Ste. 1700
Nashville, TN 37238-1700
Telephone: (615) 244-2770
Facsimile: (615) 244-2778
bmcmillan@tewlawfirm.com
toconnor@tewlawfirm.com

Attorneys for the PSI Defendants

/s/ Daniel H. Rader IV w/ permission
Daniel H. Rader IV (BPR No. 025998)
Randall A. York (BPR No. 010166)
Moore, Rader, Fitzpatrick and York, P.C.
P. O. Box 3347
Cookeville, TN 38502
Telephone: (931) 526-3311
danny@moorerader.com
randyyork@moorerader.com

Attorneys for CPS Defendants

CERTIFICATE OF SERVICE

I hereby certify that this *Joint Motion For Oral Argument* was filed electronically with the Clerk's office by using the CM/ECF system and served via the Court's ECF system on the following counsel on August 25, 2020:

Daniel H. Rader, IV
Andre S. Greppin
Moore, Rader, Clift & Fitzpatrick, P.C.
P.O. Box 3347
Cookeville, TN 38502
(931) 526-3311
danny@moorerader.com
andre@moorerader.com

Counsel for CPS Defendants

Brandt M. McMillan
Timothy N. O'Connor
Tune, Entrekin & White, P.C.
315 Deaderick St., Suite 1700
Nashville, TN 37238
(615) 244-2770
bmcmillan@tewlawfirm.com
toconnor@tewlawfirm.com

Counsel for PSI Defendants

Robyn Beale Williams
Cassandra M. Crane
Farrar & Bates
211 Seventh Ave. North, Suite 500
Nashville, TN 37219
(615) 254-3060
robyn.williams@farrar-bates.com
casey.crane@farrar-bates.com

Counsel for County Defendants

Lucy D. Henson
Lucy D. Henson, PLLC
118 South Second St.
P.O. Box 333
Pulaski, TN 38478
(931) 424-8713
henson@midsouthlaw.com

Counsel for County Defendants